

1
2
3
4
5
6 UNITED STATES DISTRICT COURT FOR THE
7 WESTERN DISTRICT OF WASHINGTON

8 MARIA GUTIERREZ,

9 Plaintiff,

10 v.

11 CITY OF ARLINGTON; MICHAEL
12 KNIGHT; JOSHUA FOX; and JOHN DOE
13 1-10 inclusive,

14 Defendants.

NO.

NOTICE OF REMOVAL

**(SNOHOMISH COUNTY SUPERIOR
COURT, CAUSE NO. 21-2-05386-31)**

15 Pursuant to 28 U.S.C. § 1443, and 28 U.S.C. § 1446, CITY OF ARLINGTON,
16 MICHAEL KNIGHT and JOSHUA FOX hereby remove the above-entitled action to the
17 United States District Court for the Western District of Washington at Seattle. Defendants
18 state:

19 1. The above-entitled action was filed in the Superior Court of Snohomish
20 County, Cause No. 21-2-05386-31. A true and correct copy of the Amended Complaint is
21 attached as Exhibit A.

22 2. Jurisdiction of this Court is based on 28 U.S.C. § 1331, 28 U.S.C. § 1343,
23 28 U.S.C. §1367, 28 U.S.C. §1441, and/or 28 U.S.C. §1443.

24 3. Plaintiff's *Amended Complaint* seeks damages and attorney's fees via 42
25 U.S.C. §1983 for alleged violation of civil rights protected by the Constitution and federal
26 law, and state law claims alleging violations of the Public Records Act, negligence and assault
27 & battery.

4. Pursuant to 28 U.S.C. §1446(a), true and correct copies of all pleadings previously served on Defendants City of Arlington, Michael Knight and Joshua Fox are attached to counsel's verification.

5. Defendants reserve any and all affirmative defenses, including but not limited to insufficient service of process.

DATED: April 7, 2022

KEATING, BUCKLIN & McCORMACK, INC., P.S.

By: /s/ Jeremy W. Culumber

Jeremy W. Culumber, WSBA #35423

*Attorneys for Defendants, City of Arlington,
Michael Knight and Joshua Fox*

801 Second Avenue, Suite 1210

Seattle, WA 98104

Phone: (206) 623-8861

Fax: (206) 223-9423

Email: jculumber@kbmlawyers.com

BAILEY, DUSKIN & PEIFFLE, P.S.

By: /s/ *Steven J. Peiffle*

Steven J. Peiffle, WSBA #14704

*Attorneys for Defendants, City of Arlington,
Michael Knight and Joshua Fox*

P.O. Box 188

103 North St.

Arlington, WA 98223-0188

Telephone: 360.435.2168

Email: steve@snolaw.com

KEATING, BUCKLIN & MCCORMACK, INC., P.S.

ATTORNEYS AT LAW
801 SECOND AVENUE, SUITE 1210
SEATTLE, WASHINGTON 98104
PHONE: (206) 623-8861
FAX: (206) 223-9423

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on April 7, 2022, I electronically filed the foregoing with the
3 Clerk of the Court using the CM/ECF system which will send notification of such filing to
4 the following:

5 **Attorneys for Plaintiff**

6 Brian M. Sullivan, WSBA #38066
7 Cassidy D. Spencer, WSBA #50569
8 SULLIVAN LAW GROUP, PLLC
9 2932 Hoyt Avenue
10 Everett, WA 98201
11 Telephone: 425.322.1076
Email: brian@sullivanpllc.com
cassidy@sullivanpllc.com

12 **Attorneys for Defendants, City of Arlington, Michael Knight and Joshua Fox**

13 Steven J. Peiffle, WSBA #14704
14 BAILEY, DUSKIN & PEIFFLE, P.S.
15 P.O. Box 188
16 103 North St.
Arlington, WA 98223-0188
Telephone: 360.435.2168
Email: steve@snolaw.com

17
18
19 DATED: April 7, 2022

20
21 /s/ Jeremy W. Culumber
22 Jeremy W. Culumber, WSBA #35423
23 *Attorneys for Defendants, City of Arlington,*
Michael Knight and Joshua Fox

24 801 Second Avenue, Suite 1210
25 Seattle, WA 98104
26 Phone: (206) 623-8861
27 Fax: (206) 223-9423
Email: jculumber@kbmlawyers.com